

08-15-01

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JCS997 U.S. PTO

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PTO/SB/05 (11-99)

OMB 0651-0032

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09/22/99



08/13/01

# UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. SPTV-01076US0  
 First Inventor James R. Gloudemans  
 Title FOREGROUND DETECTION  
 Express Mail Label No. EL 871 064 505 US

(Only for new nonprovisional applications under 37 CFR 1.53(b))

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*
2. ☐ Applicant claims small entity status.  
 See 37 CFR 1.27.
3. ☒ Specification [Total Pages 43]  
*(preferred arrangement set forth below)*  
 - Descriptive title of the invention  
 - Cross Reference to Related Applications  
 - Statement Regarding Fed sponsored R & D  
 - Reference to sequence listing, a table,  
 or a computer program listing appendix  
 - Background of the invention  
 - Brief Summary of the Invention  
 - Brief Description of the Drawings (if filed)  
 - Detailed Description  
 - Claim(s)  
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 9]  
 5. Oath or Declaration [Total Pages ]  
 a. ☐ Newly executed (original or copy)  
 Copy from a prior application (37 CFR 1.63 (d))  
 (for continuation/divisional with Box 18 completed)  
 i. ☐ **DELETION OF INVENTOR(S)**  
 Signed statement attached deleting inventor(s)  
 named in the prior application, see 37 CFR  
 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
 Box Patent Application  
 Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or  
 Computer Program (Appendix)  
 8. Nucleotide and/or Amino Acid Sequence Submission  
 (if applicable, all necessary)  
 a. ☐ Computer Readable Form (CRF)  
 b. Specification Sequence Listing on:  
 i. ☐ CD-ROM or CD-R (2 copies); or  
 ii. ☐ paper  
 c. ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PAPERS

9. ☐ Assignment Papers (cover sheet & document(s))  
 10. ☐ 37 CFR 3.73(b) Statement [Power of Attorney]  
 (when there is an assignee)  
 11. ☐ English Translation Document (if applicable)  
 12. ☐ Information Disclosure [Copies of IDS Citations]  
 Statement (IDS)/PTO-1449  
 13. ☐ Preliminary Amendment  
 14. ☒ Return Receipt Postcard (MPEP 503)  
 (Should be specifically itemized)  
 15. ☐ Certified Copy of Priority Document(s)  
 (if foreign priority is claimed)  
 16. ☒ Request and Certification under 35 U.S.C. 122  
 (b)(2)(B)(i). Applicant must attach form PTO/SB/35  
 or its equivalent.  
 17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,  
 or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. \_\_\_\_\_  
 Prior application information Examiner Group Art Unit

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under  
 Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.  
 The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

<input type="checkbox"/> Customer Number or Bar Code Label	<input checked="" type="checkbox"/> Correspondence address below			
Name Burt Magen				
Address Vierra Magen Marcus Harmon & DeNiro, LLP				
Address 685 Market Street, Suite 540				
City San Francisco	State California	Zip Code 94105-4206		
Country U.S.A.	Telephone (415) 369-9660	Fax (415) 369-9665		

Name (Print/Type) Burt Magen	Registration No. (Attorney/Agent) 37,175
Signature <i>Burt Magen</i>	Date 8/13/2001

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 Washington, DC 20231.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$), 1,910.00

## Complete if known

Application Number  
Filing Date August 13, 2001  
First Named Inventor James R. Gloudemans  
Examiner Name  
Group Art Unit  
Attorney Docket No. SPTV-01076US0

## METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number 501826
- Deposit Account Name Vierra Magen Marcus Harmon & DeNiro LLP
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:
- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
101 710 201 355	Utility filing fee		\$710.00
106 320 206 160	Design filing fee		
107 490 207 245	Plant filing fee		
108 710 208 355	Reissue filing fee		
114 150 214 75	Provisional filing fee		
SUBTOTAL (1) (\$)			710.00

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims			
60	-20** = 40	X \$18	= \$720
9	-3** = 6	X \$80	= \$480
Multiple Dependent			

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
103 18 203 9	Claims in excess of 20	
102 80 202 40	Independent claims in excess of 3	
104 270 204 135	Multiple dependent claim, if not paid	
109 80 209 40	** Reissue independent claims over original patent	
110 18 210 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$), 1,200.00

\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
105 130 205 65	Surcharge - late filing fee or oath		
127 50 227 25	Surcharge - late provisional filing fee or cover sheet		
139 130 139 130	Non-English specification		
147 2,520 147 2,520	For filing a request for ex parte reexamination		
112 920* 112 920*	Requesting publication of SIR prior to Examiner action		
113 1,840* 113 1,840*	Requesting publication of SIR after Examiner action		
115 110 215 55	Extension for reply within first month		
116 390 216 195	Extension for reply within second month		
117 890 217 445	Extension for reply within third month		
118 1,390 218 695	Extension for reply within fourth month		
128 1,890 228 945	Extension for reply within fifth month		
119 310 219 155	Notice of Appeal		
120 310 220 155	Filing a brief in support of an appeal		
121 270 221 135	Request for oral hearing		
138 1,510 138 1,510	Petition to institute a public use proceeding		
140 110 240 55	Petition to revive - unavoidable		
141 1,240 241 620	Petition to revive - unintentional		
142 1,240 242 620	Utility issue fee (or reissue)		
143 440 243 220	Design issue fee		
144 600 244 300	Plant issue fee		
122 130 122 130	Petitions to the Commissioner		
123 50 123 50	Processing fee under 37 CFR 1.17(e)		
126 180 126 180	Submission of Information Disclosure Sheet		
581 40 581 40	Recording each patent assignment per property (times number of properties)		
146 710 246 355	Filing a submission after final rejection (37 CFR § 1.129(a))		
149 710 249 355	For each additional invention to be examined (37 CFR § 1.129(b))		
179 710 279 355	Request for Continued Examination (RCE)		
169 900 169 900	Request for expedited examination of a design application		
Other fee (specify)			
SUBTOTAL (3) (\$)			0.00

\*Reduced by Basic Filing Fee Paid

## SUBMITTED BY

Name (Print/Type) Burt Magen  
Signature *Burt Magen*

Registration No. 37,175  
(Attorney/Agent)

## Complete (if applicable)

Telephone (415) 369-9660  
Date Aug 13, 2001

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0022550-001301

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**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	James R. Gloudemans
Title	Foreground Detection
Atty Docket Number	SPTV-01076US0

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

Aug 13, 2001

Date



Signature

Burt Magen, Reg. No. 37,175

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**